

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
NORTHEASTERN DIVISION


ASHLEY McNEESE,)	
)	
Petitioner,)	
)	
v.)	CIVIL ACTION NO. 09-G-1204-NE
)	
CYNTHIA S. WHEELER-WHITE, Warden;)	
ATTORNEY GENERAL FOR THE)	
STATE OF ALABAMA,)	
)	
Respondents.)	

MEMORANDUM OF OPINION

The magistrate judge filed findings and recommendation on December 22, 2009 recommending that the petition for writ of habeas corpus be dismissed for failure to exhaust available state court remedies. Petitioner's copy of the findings and recommendation was returned by the postal service on January 5, 2010, as undeliverable. On January 13, 2010, another copy of the findings and recommendation was mailed to her at her current place of confinement and she was allowed until February 1, 2010, in which to file objections. No objections have been filed.

Having carefully reviewed and considered *de novo* all the materials in the court file, the Court is of the opinion that the magistrate judge's findings are due to be and are hereby ADOPTED and his recommendation is ACCEPTED. Accordingly, the petition for writ of habeas corpus is due to be DISMISSED. A Final Judgment will be entered.

As to the foregoing it is DONE and ORDERED 11 February 2010.



 UNITED STATES DISTRICT JUDGE
 J. FOY GUIN, JR.